

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

CHAPTER 13 PLAN

Docket # 07-11038-WCH

DEBTOR: Cheryl L. Duarte

TERM OF THE PLAN: 60 Months (If the plan is longer than thirty-six (36) months, a statement of cause under 11 U.S.C. §1322(d) must be attached hereto.)

PLAN PAYMENT: Debtor(s) to pay monthly: \$ 434.00

I. SECURED CLAIMS:

A) CLAIMS TO BE PAID THROUGH THE PLAN (INCLUDING ARREARS):

Creditor	Description of claim (pre-petition arrearage, purchase money, etc.)	Amount of claim
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AMC Mortgage Services	Pre-petition arrearage	\$ 22,000.00
GMAC	Pre-petition arrearage	\$ 424.00

Total of secured claims to be paid through the Plan **↳ \$ 22,424.00**

B) CLAIMS TO BE PAID DIRECTLY BY DEBTOR TO CREDITORS (Not through Plan):

Creditor	Description of Claim
<u>Amc Mortgage Services</u>	<u>Post-Petition mortgage payments</u>
<u>GMAC</u>	<u>Post-Petition Auto Payments</u>

II. PRIORITY CLAIMS:

Creditor	Description of claim	Amount of claim
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NONE

_____	_____	\$ _____
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Total of priority claims to be paid through the Plan: \$ _____

III. ADMINISTRATIVE CLAIMS:

A. Attorneys fees (to be paid through the Plan): } \$0.00
(to be paid in first 12 months of plan)

B. Miscellaneous fees:

Creditor	Description of claim	Amount of claim
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_____	_____	} \$ _____
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C. The Chapter 13 Trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% Trustee's commission.

IV. UNSECURED CLAIMS:

The regular unsecured creditors shall receive a dividend of 10 % of their claims.

A) Regular unsecured claims: } \$ 10,000.00

B) Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of Claim	Amount of claim
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_____	_____	
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Total of A + B regular unsecured claims: \$ 10,000.00

C) Multiply total by percentage: (Example: Total of \$ 24,074.74 } \$ 1,000.00
x .10 dividend = \$2,407.47

D) Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of Claim	Amount of claim
_____	_____	\$ _____
_____	_____	\$ _____

Total amount of separately classified claims payable at ____% NONE

V. OTHER PROVISIONS:

A. Liquidation of assets to be used to fund plan: _____

B. Modification of Secured Claims: Set forth details of modifications below or on attached sheets. This information should include name of creditor and detailed explanation of the modification. The total amount of the secured claim that is to be paid through the plan (inclusive of interest) should be set forth in Section I of this Plan.

C. Miscellaneous Provisions: _____

CALCULATION OF PLAN PAYMENT:

a) Secured claims (Section I-A Total): \$ 22,424.00
b) Priority claims (Section II Total): + \$ 0.00
c) Administrative claims (Section III A&B Total): + \$ 0.00
d) Regular unsecured claims (Section IV-C Total): + \$1,000.00
e) Separately classified unsecured claims (Section IV-D Total): + \$ 0.00
f) Total of a + b + c + d + e above: = \$ 23,424.00

g) Divide (f) by .90 for total including
Trustee's fee: \$ 2,602.67 **Cost of Plan** = 26,026.67
(This represents the total amount to be paid into the Chapter 13 Plan.)

h) Divide (g) Cost of Plan by Term of Plan: \div 60 months

I) Round up to nearest dollar: **Monthly Plan Payment: \$ 434.00**
(Enter this amount on page 1)

Pursuant to 11 U.S.C. §1326(a)(1) unless the Court orders otherwise, debtor shall commence making the payments proposed by a plan within 30 (thirty) days after the plan is filed.

LIQUIDATION ANALYSIS

I. Real Estate:		
Address	Fair Market Value	Recorded Liens (Schedule D)
6 Torrington Road Fairhaven, MA 02719	\$335,000.00	\$315,000.00

Total Net Equity for Real Property: \$ 20,000.00
Less Exemptions (Schedule C): \$ 20,000.00

Available Chapter 7: \$ -0-

II. Automobile (Describe year, make, model):

2004 Saturn Vue Value \$10,000.00 Lien \$ 9,700.00 Exemption \$700.00

Net Value of Equity: \$ 300.00 Less Exemptions (Schedule C) \$ 300.00

Available Chapter 7: \$ 0.00

III. All other Assets: (All remaining items on schedule B): (Itemize as necessary)

Value: \$ 5,200.00 Less Exemptions (Schedule C): \$ 5,200.00

Avail. Ch 7: \$ 0.00

SUMMARY (Total amount available under Chapter 7): \$0.00

Net Equity (I and II) Plus Other Assets (III) less all claimed exemptions: \$ 0.00

Additional Comments regarding Liquidation Analysis:

Pursuant to the Joint Procedural Order, Debtor/Counsel are required to serve a copy of the Plan upon the Chapter 13 Trustee, all creditors & interested parties, and to file a Certificate of Service accordingly.

/s/Joseph G. Foley
Debtor's Counsel

3/29/07
Date

Counsel's Address: Joseph G. Foley, Esq.
Joseph G. Foley, LLC.
P.O. Box 67397
Chestnut Hill, MA 02467
Tel. # (617) 738-7703

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

/s/ Cheryl L. Duarte
Debtor

3/29/07
Date

Debtor

Date